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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,)
11)
12 Plaintiff,)
13 v.)
14 ROBERT LEE TWOFEATHERS)
15)
16 Defendant.)
_____)

No. CR S 05 0123 GEB

STIPULATION AND ORDER
RE EXCLUDABLE TIME AND
MODIFICATION OF PRETRIAL
MOTION SCHEDULE

Date: November 18, 2005
Time: 9:00 a.m.

17 The parties hereby stipulate to the following:

- 18 1. This matter is now set for hearing on motions on **November 18, 2005, at 9:00 a.m.**
19 Counsel for defendant has filed a motion to suppress evidence which is now pending
20 before the court.
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22 2. The parties herein are attempting to resolve this matter by way of plea, and additional
23 time is needed in order to engage in plea negotiations, and to discuss possible pleas with
24 the defendant. Additionally, the government requests additional time to respond to the
25 defense motions filed. Therefore, it is requested that the motion hearing date be vacated
26 and that the matter be set for a status conference on **December 9, 2005 at 9:00 a.m.** It is
27 anticipated that, if necessary, a subsequent motion hearing date and briefing schedule will
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1 be discussed at the December 9, 2005 status conference. The government shall have no
2 obligation to respond to the motions filed pending modification of the motion hearing
3 date and briefing schedule.

- 4 3. The parties stipulate, and the court is requested to order, that time continued to be
5 excluded pursuant to Local Code E, 18 U.S.C. 3161(h)(1)(F), as motions are pending, and
6 pursuant to Local Code T4, 18 U.S.C. 3161(h)(8)(B)(iv), for preparation of counsel.

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8 DATED: November 15, 2005 /s/ Tim Warriner, Attorney for defendant,
9 ROBERT TWOFEATHERS

10 DATED: November 15, 2005 /s/ William Wong, Assistant United States Attorney,
11 Attorney for the Government

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13 ORDER

14 GOOD CAUSE APPEARING, it is hereby ordered that the November 18, 2005 motion
15 hearing date be vacated and that the matter be set for a status conference on December 9, 2005 at
16 9:00 a.m. It is further ordered that time continue to be excluded pursuant to Local Code E, 18
17 U.S.C. 3161(h)(1)(F), as motions are now pending, and for preparation of counsel pursuant to
18 Local Code T4, 18 U.S.C. 3161(h)(8)(B)(iv).

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20 DATED: November 16, 2005

21 /s/ Garland E. Burrell, Jr.
22 GARLAND E. BURRELL, JR.
23 United States District Judge
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